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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/820,761

03/30/2001

Akihiro Furukawa

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10/20/2006

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EXAMINER

REFAI, RAMSEY

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,761

Applicant(s)

FURUKAWA ET AL.

Examiner

Ramsey Refai

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,3 and 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,3 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Responsive to Request for Continued Examination (RCE) received August 24, 2006. Claims 2, 3, and 7 were amended. Claims 2, 3, and 7 remain pending further examination.

Response to Arguments

1. Applicant's arguments have been fully considered but they are not persuasive.
 - In the remarks, the Applicant argues in substance that Roy et al and Bruck et al fail to teach the use of a particular multicast address.
 - In response, the Examiner respectfully disagrees. Roy et al teach a SNMP request can be sent to specific devices on a subnetwork, such as that of a specified class, for example a certain brand of printers. Therefore the request is not sent to all devices, but only some. Therefore Roy et al meets the scope of the claimed limitation. (See column 3, lines 27-36)

Claim Rejections – 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
3. Claims 2, 3, and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2:

It is not clear how the “ address information” is obtained from “ the list” since “ the list” displays nodes that transmitted responses. Is the address information obtained from the responses?

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In claims 2, 3 and 7:

The terms “ one node” and “ the one node “ are indefinite because it is not clear if these terms are referring to a node from the “ nodes of a network” in line 3;

The term “ nodes” lacks proper antecedent basis.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 3, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy et al (U.S. Patent No. 6,496,859) in view of Bruck et al (U.S. Patent No. 6,801,949).

6. As per claim 2, Roy et al teach an IP address setting device, comprising:

a request packet transmitting unit that transmits a request packet to a particular multicast address, the request packet requesting transmission of MAC addresses from nodes of a network (column 2, lines 31-50, figs 5A-5B);

a response reception unit that receives responses from the nodes to the request packet transmitted by the request packet transmitting unit, each response including the MAC address of a corresponding node (column 2, lines 31-50, figs 5A-5B);

an address information designation unit (1) that, based on the responses received from the nodes by the response reception unit, designates one node to be set with address information including an IP address and (2) that designates the address information, wherein the address information designation unit includes (column 2, lines 31-50, figs 5A-5B);

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a display that displays a list of nodes that transmitted responses (column 2, lines 22-30; webpage).

Roy et al fail to a selection unit that enables a user to designate the one node to be set with address information from the list, an address information setting unit that designates the address information for the one node, and a setting packet transmission unit that transmits a setting packet to the particular multicast address, the setting packet including the address information set by the address information designation unit and the MAC address included in the response of the one node.

However, Bruck et al teach a GUI setup screen for setting up primary IP addresses for computers on a cluster by manually entering IP addresses into text box for each computer identified in the cluster. The user can view which devices need their IP addresses set, and can then manually set the IP address for each device (column 18, line 30-67, Figure 14). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings for Roy et al and Bruck et al because doing so would create a method of setting IP addresses for newly discovered devices by identifying devices on the network using hardware identification information, displaying those discovered devices on the user interface and then manually assigning IP addresses to those discovered devices

7. Claims 3 and 7 contain similar limitations as claim 2 above, therefore is rejected under the same rationale.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai
Examiner
Art Unit 2152
October 4, 2006



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER